

NINETY-NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 274CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Brashear, 4; Synowiecki, 7

Read first time January 17, 2006

Committee: Judiciary

1 THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA,
2 SECOND SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2006 the
4 following proposed amendment to the Constitution of Nebraska shall
5 be submitted to the electors of the State of Nebraska for approval
6 or rejection:

7 To amend Article II, section 1:

8 II-1 (1) The powers of the government of this state
9 are divided into three distinct departments, the legislative,
10 executive, and judicial, and no person or collection of persons
11 being one of these departments, shall exercise any power properly
12 belonging to either of the others, except as ~~hereinafter~~ expressly
13 directed or permitted in this Constitution.

14 (2) Notwithstanding the provisions of subsection (1) of
15 this section, supervision of individuals sentenced to probation,
16 released on parole, or enrolled in programs or services established

1 within a court may be undertaken by either the judicial or
2 executive department, or jointly, as provided by the Legislature.

3 Sec. 2. The proposed amendment shall be submitted to the
4 electors in the manner prescribed by the Constitution of Nebraska,
5 Article XVI, section 1, with the following ballot language:

6 A constitutional amendment to permit supervision of
7 individuals sentenced to probation, released on parole,
8 or enrolled in court programs or services by the judicial
9 and executive departments as provided by the Legislature.
10 For
11 Against.